

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AYDE AZUCCERA PEREZ GUTIERREZ,
et al.,

Plaintiff(s),

v.

MARISCOS EL PUERTO, INC., et al.,

Defendant(s).

Case No. 2:19-CV-1940 JCM (EJY)

ORDER

Presently before the court is Magistrate Judge Elayna Youchah's report and recommendation ("R&R") to strike defendants' answer to plaintiffs' first amended complaint from the record and default be entered against defendants. (ECF No. 90).

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." *Id.*

Where a party fails to object, however, the court is not required to conduct "any review at all...of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).

1 No objections were filed to the R&R in this case and the deadline to do so has passed.
2 Thus, the court is not obligated to conduct a *de novo* review of the R&R and hereby
3 ADOPTS the magistrate judge's findings.

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judge Youchah's
6 R&R (ECF No. 90) be, and the same hereby is, ACCEPTED in its entirety.

7 IT IS FURTHER ORDERED that the clerk shall enter default as to defendants.

8 DATED July 8, 2022.

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11 UNITED STATES DISTRICT JUDGE
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